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3/12/18 10:44 am CLERK U.S. BANKRUPTCY COURT - WDPA

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

B.L. GUSTAFSON, LLC. d/b/a : THE HONORABLE THOMAS P. AGRESTI

PRIORITY CARE AMBULANCE, :

Debtor : CHAPTER 11

v. : DATE and TIME OF HEARING:

: Thursday, March 22, 2018 at 11:00 a.m.

HAMLIN BANK & TRUST :

COMPANY, : RESPONSES DUE: Movant :

: RELATED TO CLAIM NO. \_\_\_\_\_

v. : Rel to Doc No. 102

B.L. GUSTAFSON, LLC. d/b/a
PRIORITY CARE AMBULANCE; and
BRIAN GUSTAFSON,

Respondents

# ORDER GRANTING CONDITIONAL RELIEF FROM STAY

AND NOW, to-wit, this <u>12th</u>day of March, 2018, upon consent of counsel, after hearing on the Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. §362(d) filed by the Movant, Hamlin Bank & Trust Company, (hereinafter "Movant") at Document No. <u>102</u>.

It is hereby ORDERED, ADJUDGED and DECREED that said Motion is granted and therefore the automatic stay is terminated as it affects the interest of the Movant with respect to personal property identified a 1995 Ford E-350 Modular Ambulance with V.I.N. No. 1FDKE30F3SHA76490 and a 2000 Ford F-350 Modular Ambulance with V.I.N. No. 1FDWF37F2YED06261, PROVIDED, HOWEVER, that this Order granting relief from stay is stayed so long as the Debtor timely makes full monthly payments in the amount of \$1,529.69 to the Movant beginning March, 2018, on or before the date upon which the monthly payment is

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due, with a fifteen (15) day grace period. For the duration of this bankruptcy case, in the event that the Debtor fails to make any subsequent monthly payments to the Movant, then the stay of this Order shall be vacated and the automatic stay unconditionally lifted as it affects the interest of the Movant in said property upon the filing of an Affidavit of Default by Movant without further hearing or without entry of an additional Order. Such Affidavit of Default shall contain a statement of the default as supported by the creditor's own records.

The Debtors shall address the amount past due in the amount of \$10,554.78 as of February 9, 2018 in its Plan of Reorganization.

The Debtor agrees to provide the Movant with proof of insurance in connection with both the 1995 Ford E-350 Modular Ambulance and the 2000 Ford F-350 Modular Ambulance within twenty (20) days of the date of this Order. The Debtor's failure to insure these tow (2) vehicles shall constitute an event of default entitling the Movant to file an Affidavit of Default.

It is further ORDERED that the hearing which had been scheduled for Thursday, March 22, 2018 at 11:00 a.m. is CANCELLED.

The Honorable Thomas P. Agrest United States Bankruptcy Judge

## **CONSENTED TO:**

QUINN, BUSECK, LEEMHUIS, TOOHEY & KROTO, INC.

By: /s/Michael S. JanJanin

Michael S. Jan Janin, Esq.

Pa. I.D. No. 38880

2222 West Grandview Boulevard

Erie, PA 16506-4508 Phone: (814) 833-2222 Fax: (814) 833-6753

Email: mjanjanin@quinnfirm.com

Attorneys for Movant, Hamlin Bank & Trust Company

## KNOX LAW FIRM

By: /s/Guy Fustine

Guy Fustine, Esquire 120 West 10<sup>th</sup> Street Erie, PA 16501

Phone No: (814)923-4850 Fax No.: (814)453-4530

Email: gfustine@kmgslaw.com

Attorneys for Debtor, B.L. Gustaftson, LLC

d/b/a Priority Care Ambulance

#1108744

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nited States Bankruptcy Cŏurt Western District of Pennsylvania

In re: B.L. Gustafson, LLC Debtor

Case No. 17-10514-TPA Chapter 11

### CERTIFICATE OF NOTICE

District/off: 0315-1 User: maut Page 1 of 1 Date Rcvd: Mar 12, 2018

Form ID: pdf900 Total Noticed: 2

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 14, 2018.

db +B.L. Gustafson, LLC, P.O. Box 344, Smethport, PA 16749-0344

+Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501-1410 aty

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

TOTAL: 0 NONE.

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 14, 2018 Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)

system on March 12, 2018 at the address(es) listed below:

Guy C. Fustine on behalf of Debtor B.L. Gustafson, LLC mwernick@kmgslaw.com,

knoxbank@hotmail.com,burban@kmgslaw.com,mpol@kmgslaw.com

James Warmbrodt on behalf of Creditor Kubota Credit Corporation bkgroup@kmllawgroup.com on behalf of Creditor James P. Valecko Ford Motor Credit Company LLC jvalecko@weltman.com,

jbluemle@weltman.com Jill Locnikar on behalf of Creditor United States of America Department of the Treasury,

Internal Revenue Service jill.locnikar@usdoj.gov,

patricia.fitzgerald@usdoj.gov;deborah.verrilla@usdoj.gov;caseview.ecf@usdoj.gov John F. Kroto on behalf of Debtor B.L. Gustafson, LLC john\_kroto@pawb.uscourts.gov,

knoxbank@hotmail.com,mwernicki@kmgslaw.com,burban@kmgslaw.com

Michael S. Jan Janin on behalf of Creditor Hamlin Bank & Trust Company

mjanjanin@quinnfirm.com,

knottingham@quinnfirm.com;mboni@quinnfirm.com;mgleba@quinnfirm.com;mmbquinnbankruptcy@gmail.com;m myers@quinnfirm.com

Norma Hildenbrand, on Behalf of the United States Trustee by on behalf of U.S. Trustee Office of the United States Trustee Norma.L.Hildenbrand@usdoj.gov

Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov

Robert C. Edmundson on behalf of Creditor Office of Attorney General Department of Revenue

redmundson@attorneygeneral.gov Robert S. Bernstein on behalf of Creditor John Deere Construction & Forestry Company rbernstein@bernsteinlaw.com,

pghecf@bernsteinlaw.com;cwirick@bernsteinlaw.com;rbernstein@ecf.courtdrive.com;cwirick@ecf.courtd rive.com

TOTAL: 10